



## **REMARKS**

Claims 1-9 are pending in this application. No new matter is presented herein.

### **Receipt of Priority Document**

The instant application claims priority from JP 2003-058570, which is indicated on the transmittal form submitted when the application was filed. Applicants note a certified copy of priority document JP 2003-058570 was filed in the Patent Office on February 13, 2004. Applicants further note the Patent Office acknowledged receipt of the certified copy of the priority document in the Office Actions dated July 13, 2005, September 29, 2005, March 15, 2006, and the outstanding Office Action dated July 26, 2006.

### **Claim Rejections – 35 U.S.C. §102**

Claims 1-9 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 7,002,812 to Sakaki. Applicants respectfully traverse the rejection for being based upon a reference that is not a valid prior art reference.

In particular, Applicants respectfully note that the instant application, which was filed on February 13, 2004, claims priority from Japanese Application No. 2003-058570, which was filed on March 5, 2003. Therefore, the instant application has an effective filing date of March 5, 2003. Moreover, as noted above, the Patent Office has, on numerous occasions, acknowledged receipt of the certified copy of the priority document and the claim for priority. In order to perfect the claim for priority, Applicants enclose herein a verified translation of the priority document. Accordingly, Applicants respectfully submit the effective filing date of the instant application is March 5, 2003.

Additionally, Applicants respectfully note the effective filing date of Sakaki is its U.S. filing date, that being September 25, 2003.

Given that the effective filing date of the present application (March 5, 2003) precedes the effective filing date of Sakaki (September 25, 2003) by about six and one half (6.5) months, Applicants respectfully submit Sakaki is not a valid prior art reference and the rejection of Claims 1-9 wherein Sakaki is the only reference cited against such claims, is inappropriate and should be withdrawn.

### **Conclusion**

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejection, allowance of Claims 1-9, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 107156.00229.**

Respectfully submitted,  
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Enclosure: English Translation of Priority Document JP 2003-058570